DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in-
> (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, *except* that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Hasegawa (US 6,560,778 B1 hereinafter Hasegawa).

Regarding claim 1, Hasegawa discloses "an addressable Tap used in cable TV networks consisting of" (col. 2, lines 23-29)

"a power supply module," (Fig. 2, item 49)

"a filter demodulation module," (Fig. 2, item 46)

"a control module and 8 switches." (Figs. 2-4, shown are item 41-44 switches are used, where a up to a max of 8 are available)

"Said power supply module, filter demodulation module and switches are electrically connected to the control module, which is characterized by: Said modules and switches are all installed on a PCB and contained in a housing, which is compatible

and about plus minus 30% of the existing traditional installed Tap in size; said control module uses high performance microprocessor, switches are micro RF switches in order to be of the smallest total size." (col. 2, lines 1-11, lines 43-67, col. 3, lines 40-43, Fig. 3, the components above are created on a series of substrates connected together within a housing, where the sizing is controllable and reduced as described in col. 3 lines 40-43 to be compatible with the limitation described in col2. lines 1-11 for standard use in CATV systems)

Regarding claim 2, Hasegawa discloses "an addressable Tap used in cable TV networks as defined in claim 1 is characterized by:

said housing has a main signal input terminal located at the left side, receives the main input signal which is connected with the precedent addressable Tap" (Figs. 1-3, where item 6 the taps of Fig. 1 are connected in series and Tin the input terminal)

"and a main signal output terminal at the right side, which is connected with the next addressable Tap." (Figs. 1-3, Tout the output terminal)

"Said housing has also eight output terminals on its front surface, which are connected with the users". (col. 9, lines 51-67, Figs. 2-4, taps T1-T4 are shown in Figs. 2-3, where a maximum of 8 taps are available)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: ***(See MPEP Ch. 2141)***

a. Determining the scope and contents of the prior art;
b. Ascertaining the differences between the prior art and the claims in issue;
c. Resolving the level of ordinary skill in the pertinent art; and
d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa (US 6,560,778 B1 hereinafter Hasegawa) view of Aguayo, Jr. et al. (US 6,285, 856 B1 hereinafter Aguayo).

Regarding claim 2, Hasegawa discloses the addressable tap of claim 1, however Hasegawa does not state using an interference module for generating interference signals on the target RF switches. Aguayo discloses the use of a channel-specific interference generator with an addressable tap (col. 9, lines 17-21, Fig. 5, item 570, where item 95(4) the M-RTU controls item 15(2) the tap generating the interference)

It would have been obvious to one of ordinary skill at the time the invention was made, to be motivated to take the addressable tap of Hasegawa and incorporate the interference generator of Aguayo within the addressable tap between the control circuit and the switches. One would have been motivated to do so for an improved addressable tap that provides an extra layer of assurance in blocking channels from subscribers who are not intended to receive them.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

James et al. (US 6,694,517 B1) – addressable tap for controlling subscriber access in a cable television distribution system

Gresko et a. (US 7,086, 078 B1) – a signal tap created with a PCB used in a CATV system with bidirectional operation

Webb (US 2003/0016482 A1) – eight port subscriber tap created using a PCB

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK P. STANLEY whose telephone number is (571)270-3757. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark P Stanley/

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